NOTIFICATION.

No. L.D. 16-Legis. 2-50-72, dated Bangalore, 4th April 1951.

Ordered that the accompanying Indian Tariff (Amendment) Act, 1951 (Central Act XIII of 1951) published in the *Gazette of India*, Part II, Section 1, dated the 30th March, 1951, be republished in the *Mysore Gazette* for general information.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,

Legal Remembrancer and
Secretary to Government,
Law Department.

GOVERNMENT OF INDIA.

MINISTRY OF LAW.

Received Assent on 29th March 1951.

THE INDIAN TARIFF (AMENDMENT) ACT, 1951 (XIII OF 1951).

AN

ACT

further to amend the Indian Tariff Act, 1934.

BE it enacted by Parliament as follows:—

1. **Short title.**—This Act may be called the Indian Tariff (Amendment) Act, 1951.

2. **Insertion of new section 3A in Act XXXII of 1934.**—After section 3 of the Indian Tariff Act, 1934 (hereinafter referred to as the principal Act), the following section shall be inserted, namely:—

"3A. *Power of Central Government to levy protective duties in certain cases.*—(*1*) Where the Central Government, upon a recommendation made to it in this behalf by the Tariff Board set up under the Resolution of the Government of India in the Department of Commerce, No. 218-T (55)/45, dated the 3rd November, 1945, is satisfied that circumstances exist which render it necessary to take immediate action to provide for the protection of the interests of any industry established in India, the Central Government may, by notification in the Official Gazette, impose on any goods imported into India in respect of which the said recommendation is made, a duty of customs of such amount, not exceeding the amount proposed in the said recommendation, as it thinks fit.

(*2*) Every duty imposed under sub-section (*1*) shall, for the purposes of this Act, be deemed to have been specified in the First Schedule, and shall be in addition to any duty imposed under this Act or any other law for the time being in force, but shall not be included in the duty of customs upon which any additional duty imposed by section 6 of the Indian Finance Act, 1942 (XII of 1942), and continued, subject to certain modifications, by certain subsequent Central Acts, is calculated, or operate so as in any way to affect the amount of any additional duty so imposed,

(*3*) Where a notification has been issued under sub-section (*1*), there shall be introduced in Parliament if it is sitting within fifteen days after the issue of the notification, and if it is not sitting within fifteen days of its reassembly, unless the notification is in the meantime rescinded, a Bill on behalf of the Central Government to give effect to the proposals in regard to the continuance of a protective duty of customs on the goods to which the notification relates, and the notification shall cease to have effect when such Bill becomes law, whether with or without modifications, but without prejudice to the validity of anything previously done thereunder :

Provided that where for any reason a Bill as aforesaid does not become law within two months from the date of its introduction in Parliament, the notification shall cease to have effect on the expiration of the said period of two months.

(*4*) This section shall cease to have effect on the expiration of two years from the commencement of the Indian Tariff (Amendment) Act, 1951.

3. Amendment of the First Schedule, Act XXXII of 1934.—In the First Schedule the principal Act,—

(*i*) in Item No. 11(3), for the entry in the second column, the words "Sago, Tapioca and Tapioca flour, not otherwise specified" shall be substituted;

(*ii*) after Item No. 11(5), the following Item shall be inserted, namely :—

11(6)	Sago pearl-bules and tapioca pearls—						
	(*a*) manufactured in a British Colony.	Protective ...	24 per cent *ad valorem.*	...	...	December 31st, 1952.
	(*b*) not manufactured in a British Colony.	Protective ...	36 per cent *ad valorem.*	...	...	December 31st, 1952.";

(*iii*) in Item No. 15(10) in the entry in the second column, after the word "Stearine" the brackets and words "(Glyceride of Stearic Acid)" shall be inserted;

(*iv*) in Item No. 26, to the entry in the second column, the words "and antimony ore" shall be added;

(*v*) after Item No. 26, the following item shall be inserted, namely :—

26 (1)	Antimony ore in any form such as—						
	(*a*) lump ;	...	Free	...	...	...	...";
	(*b*) powder or fine ; and						
	(*c*) concentrates.						

(*vi*) in Items Nos. 27(4) and 27(8)—

(*a*) in the entry in the second column, the words "by Abel's close test" shall be omitted ;

(*b*) to the entry in the second column, the following *Note* shall be added, namely :—

"*Note.*—Flashing points will be determined in accordance with the tests laid down in the rules made under the Petroleum Act, 1934 (XXX of 1934)";

(*vii*) in Item No. 28(8), in the entry in the second column, the word "carbolic" shall be omitted ;

(*viii*) for Item No. 28(20), the following Item shall be substituted, namely :—

" 28(20)	(*a*) Acid oleic or any product containing 60 per cent. or more of free liquid fatty acids.	Protective ...	30 per cent *ad valorem.*	...	...	December 31st, 1951.
	(*b*) Acid stearic or any product containing 60 per cent. or more of free solid fatty acids.	Protective ...	30 per cent *ad valorem.*	...	...	December 31st. 1951.
	(*c*) Mixtures of (*a*) and (*b*) containing 60 per cent. or more of free fatty acids.	Protective ...	30 per cent *ad valorem.*	...	...	December 31st, 1951." ;

(*ix*) in Item No. 28(29), in the entry in the second column, after the word " phenol " the brackets and words " (carbolic acid) " shall be inserted ;

(*x*) after Item No. 28(30), the following Item shall be inserted, namely :—

"28(31)	Calcium lactate—					
	(*a*) of British manufacture ...	Protective ..	26 per cent *ad valorem.*	...	...	December 31st, 1953.
	(*b*) not of British manufacture :	Protective ...	36 per cent *ad valorem.*	...	..	December 31st, 1953." ;
	Provided that calcium lactate manufactured in a British Colony shall be deemed to be of British manufacture.					

(*xi*) for Item No. 30(7), the following Item shall be substituted, namely :—

" 30 (7)	Lead Pencils	Protective ...	30 per cent *ad valorem* or 3⅛ annas per dozen, which ever is higher.	...	...	December 31st, 1952." ;

(*xii*) after Item No. 45(3), the following Items shall be inserted, namely :—

" 45(4)	Coloured and copying pencils ...	Protective ...	37½ per cent *ad valorem.*	...	...	December 31st, 1952.
45(5)	Fountain pen ink ...	Protective ...	37½ per cent *ad valorem.*	...	..	December 31st, 1953.

(*xiii*) in Items Nos. 46, 46(1), 47, 47(1) and 48, in the last column headed " Duration of protective rates of duty ", for the word, figures and letters " March 31st, 1951 ", the word, figures and letters " March 31st, 1952 " shall be substituted ;

(*xiv*) after Item No. 71(7), the following Item shall be inserted, namely :—

" 71(8)	Grinding wheels and segments ..	Protective ...	100 per cent *ad valorem.*	...	...	December 31st, 1951." ;

(*xv*) after Item No. 71(10), the following Item shall be inserted, namely :—

"71(11)	Oil pressure lamps of 100 to 400 candle power, all sorts.	Protective ...	30 per cent *ad valorem.*	...	...	December 31st, 1953." ;

(*xvi*) in Item No. 72(d), in the entry in the second column, after the words "any machinery above specified", the words "and also with squirrel cage electric motors of one-quarter of one brake horse power and above", shall be inserted;

(*xvii*) in Item No. 72(8), in the entry in the second column, after the words "seed and corn crushers" the words "seed and grain cleaners and graders" shall be inserted;

(*xviii*) in Item No. 72(25), to the entry in the second column, the following proviso shall be added, namely:

"Provided that articles which do not satisfy this condition shall also be deemed to be component parts of the machine or apparatus to which they belong if they are essential to its operation and are imported with it in such quantities as may appear to the Collector of Customs to be reasonable.";

(*xix*) in Item No. 75(1), in the entry in the fifth column, for the figures "54", the figures "57" shall be substituted;

(*xx*) for Item No. 85, the following Item shall be substituted, namely:—

85	Buttons, studs and cuff links—					
	(*a*) made of metals other than gold or silver.	Protective ...	30 per cent *ad valorem*.	...	...	December 31st, 1953.
	(*b*) made of porcelain ...	Protective ...	35 per cent *ad valorem*.	...	...	December 31st, 1953.
	(*c*) not otherwise specified but excluding jewellery, and articles made of glass or plated with gold or silver or both.	Protective ...	30 per cent *ad valorem*.	...	...	December 31st, 1953."

4. Amendment of Act I of 1949.—In the Indian Tariff (Amendment) Act, 1949,—

(*i*) in sections 4 and 5, for the figures "1951" the figures "1954" shall be substituted; and

(*ii*) section 7 shall be omitted.

K. V. K. SUNDARAM, Secy